

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2509

Introduced by Assembly Member Daucher

February 23, 2006

An act to add Section 120392.9 to the Health and Safety Code, relating to immunizations.

LEGISLATIVE COUNSEL’S DIGEST

AB 2509, as amended, Daucher. Immunizations.

Under existing law, the State Department of Health Services is responsible for the licensure and regulation of health facilities, including general acute care hospitals, as defined.

Under existing law, the department also has responsibilities relating to the prevention and control of communicable diseases by various means, including requiring immunization by vaccine for various populations.

Existing law requires a skilled nursing facility, an intermediate care facility, or a nursing facility, as defined, to offer immunizations for influenza and pneumococcal disease to its residents, aged 65 years or older, between October 1 and April 1 of each year, and to offer pneumococcal vaccine to all new admittees. The facility is required to be reimbursed the standard Medi-Cal rate for vaccines provided to Medi-Cal recipients, except under specified circumstances. Existing law requires the facility to obtain informed consent for the immunization services from the resident or, if the person lacks the capacity to make medical decisions, for the person legally authorized to make medical decisions on the resident’s behalf.

This bill would require a general acute care hospital, pursuant to its own standardized procedures *and subject to its ability to obtain the vaccine*, to offer, *prior to discharge*, immunizations for influenza and pneumococcal disease to its ~~patients~~ *inpatients*, aged 65 years or older; ~~prior to discharge~~.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 120392.9 is added to the Health and
2 Safety Code, to read:
3 120392.9. Pursuant to its standardized procedures *and if it is*
4 ~~able to obtain the vaccine~~, a general acute care ~~facility~~ *hospital*,
5 as defined in subdivision (a) of Section 1250, shall offer, *prior to*
6 ~~discharge~~, immunizations for influenza and pneumococcal
7 ~~disease to patients, aged 65 years or older, receiving services at~~
8 ~~the facility, disease to inpatients, aged 65 years or older~~, based
9 upon the latest recommendation of the Advisory Committee on
10 Immunization Practices of the federal Centers for Disease
11 Control and Prevention, and the latest recommendations of
12 appropriate entities for the prevention, detection, and control of
13 influenza outbreaks in California general acute care facilities.